

# EXHIBIT C

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

ELIZABETH LOWING,

Plaintiff,

v.

CASE NO: 17-00650  
HON: GORDON J. QUIST

JUSTIN VISSER, NEWAYGO COUNTY,  
DALE GIBBS, and VILLAGE OF HESPERIA,  
in their individual and official capacities,

Defendants.

<p>CHRISTOPHER TRAINOR &amp; ASSOCIATES CHRISTOPHER J. TRAINOR (P42449) SHAWN C. CABOT (P64021) Attorneys for Plaintiff 9750 Highland Road White Lake, MI 48386 (248) 886-8650 (248) 698-3321-fax <a href="mailto:shawn.cabot@cjtrainor.com">shawn.cabot@cjtrainor.com</a></p>	<p>ZAUSMER AUGUST &amp; CALDWELL PC HEIDI D. HUDSON (P32495) Attorney for Ds Village of Hesperia and Dale Gibbs 31700 Middlebelt Road, Ste. 150 Farmington Hills, MI 48334-2301 248-851-4111 248-851-0100-fax <a href="mailto:hudson@zacfirm.com">hudson@zacfirm.com</a></p> <p>WILLIAMS HUGHES, PLLC DOUGLAS M. HUGHES (P30958) Attorney for Ds Village of Hesperia and Dale Gibbs 120 W. Apple Avenue PO Box 599 Muskegon, MI 49443-0599 231-727-2119 231-727-2130-fax <a href="mailto:doughughes@williamshugheslaw.com">doughughes@williamshugheslaw.com</a></p>
<p>CUMMINGS, MCCLOREY, DAVIS &amp; ACHO HAIDER A. KAZIM (P66146) MATTHEW W. CROSS (P77526) Attorney for Defendants Visser and Newaygo 400 W. Front Street, Ste. 200 Traverse City, MI 49684 231-922-1888 231-922-9888 <a href="mailto:hkazim@cnda-law.com">hkazim@cnda-law.com</a> <a href="mailto:mcross@cnda-law.com">mcross@cnda-law.com</a></p>	

**PLAINTIFF'S SECOND REQUEST FOR PRODUCTION OF DOCUMENTS TO  
DEFENDANT VILLAGE OF HESPERIA**

NOW COMES Plaintiff, by and through her attorneys, CHRISTOPHER TRAINOR & ASSOCIATES, and submits the following Second Request for Production of Documents to the Defendant.

This Second Request for Production of Documents is submitted pursuant to the Federal Rules of Civil Procedure. The information and documents sought must be given under oath, whether it is secured by you, your agent, representative, attorney or any other person who has made this knowledge known to you, from whom you can get this information and documents or who is competent to provide the information and documents you are requested to produce; the information and documents must be served upon the undersigned Plaintiff's attorney, CHRISTOPHER TRAINOR & ASSOCIATES, within thirty (30) days from the date this Second Request For Production of Documents is served upon you.

This Second Request for Production of Documents shall be deemed continuing and supplemental; documents and/or information shall be required immediately upon receipt thereof if the said parties directed to produce them directly or indirectly obtains further or different information and/or documents from the time the information and documents are served to the time of trial in this matter. If the items requested no longer exist or they never existed please notate the same.

**SECOND REQUEST FOR PRODUCTION OF DOCUMENTS INSTRUCTIONS**

1. "Document" means any handwritten, typewritten, recorded, or graphic matter however produced or reproduced, whether or not in the possession custody or control of the defendants, and whether or not claimed to be privileged against discovery or any ground, including but not limited to: all contracts, reports, books, records, lists, memoranda, correspondence, telegrams, telexes,

appointment calendars, diaries, schedules, films, videos, photographs, sound recordings, signed or unsigned documents, any and all prison/jail records, as well as sent or unsent drafts of documents.

“Document” shall also mean and include the original and every copy regardless of origin or location.

2. “Identify” when used in reference to an individual means to state that person’s full name, present address, present or last known position and business affiliation.

3. When used in reference to persons or members of a class, the term, “identify” means to identify each individual member or members of such class.

4. “Identify”, “identification”, or “describe” when used in reference to documents means to state the following as to each such document: (a) the title, if any, and the nature and contents thereof; (b) the date; (c) the date the document was executed if different from the date it bears; (d) the name, address, and position of the addressee, if any; (e) the present location and the name, present address, and position of the person having present custody; and (g) whether the document has been destroyed, and if so, with regard to such destruction, the date, the reason and the identity of the person or persons who destroyed the document.

5. The above information shall be given in sufficient detail to enable a party or person to whom a subpoena or Request for Production is directed to fully identify the documents sought to be produced and to enable counsel for the Plaintiff to determine that such document, when produced, is, in fact, the document so described.

6. When used in these Interrogatories, the terms “you” and “your(s)” includes the Defendant as well as the Defendant’s agents, servants, employees, partners, representatives, experts and consultants, and unless privileged, the attorneys.

7. “Date” means the exact date, month and year, if ascertainable, if not, your best approximation, which may include relationships to other events.

8. If any information is withheld under a claim of privilege or other exclusion from discovery, state the nature of the information or document withheld, the privilege or other exclusion that is claimed, and the facts upon which the claim of privilege or exclusion is based.

9. The singulars shall be deemed to include the plural and vice-versa and the words “and” and “or” shall be construed either conjunctively or disjunctively, in the manner which affords the broadest scope to the Interrogatories.

10. Do not respond to any interrogatory merely by stating, “see attached.” Specifically identify the particular documents that are responsive to each Interrogatory.

11. For the convenience of the Court and the parties, please restate each Interrogatory to your written response prior to your written identification of the produced documents.

12. The word, “person” means any natural person, firm or corporation, partnership, joint venture, or any other form of business entity.

### **SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

Please produce the following:

1. Any and all documents listed in Section II of Defendants Gibbs and Village of Hesperia’s Initial Disclosures dated November 16, 2017.

#### **RESPONSE:**

2. Any and all documents or things which will or may be anticipated to be used in the defense of this matter.

#### **RESPONSE:**

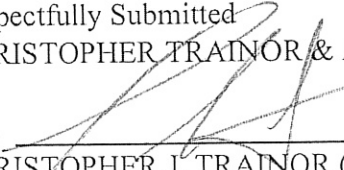
3. Any and all documents received pursuant to a subpoena, Freedom of Information Act requests, and/or other requests for records, documents, and/or things made by Defendants relative to this litigation.



RESPONSE:

These Requests for Production of Documents are deemed continuing up to and through the time of trial.

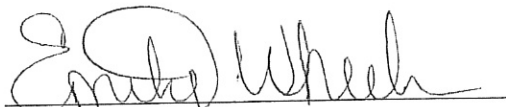
Respectfully Submitted  
CHRISTOPHER TRAINOR & ASSOCIATES

BY:   
CHRISTOPHER J. TRAINOR (P42449)  
SHAWN C. CABOT (P64021)  
Attorneys for Plaintiff  
9750 Highland Road  
White Lake, MI 48386  
(248) 886-8650

Dated: December 11, 2017  
SCC/eaw

**PROOF OF SERVICE**

The undersigned certified that on the 12<sup>th</sup> day of December, 2017, a copy of the foregoing document was served upon the attorney (s) of record by mailing a copy of same to said attorney (s) at their stated business address with pre-paid first-class postage affixed thereto. I declare under the penalty of perjury that the foregoing statement is true to the best of my information, knowledge and belief.

  
EMILY WHEELER